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COMMONWEALTH OF PENNSYLVANIA
OFFICE OF THE GOVERNOR
HARRISBURG
May 19, 2020

DEPT OF STATE
BUREAU OF GEN

THE GOVERNOR

TO THE HONORABLE SENATE OF THE
COMMONWEALTH OF PENNSYLVANIA

Pursuant to Article IV, Section 15 of the Pennsylvania Constitution, I am returning herewith, without my approval, Senate Bill 327, Printer's Number 1700.

We are facing extraordinary challenges as we confront the COVID-19 pandemic. During the last two months, life as we have known it in the Commonwealth has changed dramatically. We have made difficult but necessary sacrifices which have included shuttering schools and non-life sustaining businesses as we shelter in place. These sacrifices have been effective in flattening the curve, preventing our healthcare system from being overwhelmed by a surge of COVID-19 cases, and saving lives.

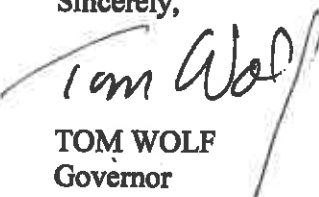
Because of the success of these early mitigation efforts, we are now focused on a plan to reopen Pennsylvania while prioritizing the health and welfare of its citizens. Our reopening plan uses a combination of factors, including statistical metrics developed in collaboration with Carnegie Mellon University, to evaluate when and to what extent our communities can safely reopen while guarding against a COVID-19 resurgence. We have developed a data-driven, color-coded system that transitions counties from the most restrictive red phase to the intermediate yellow phase (limited reopening) and ultimately to the least restrictive green phase. As part of our ongoing progress towards reopening, thirty-seven of the Commonwealth's sixty-seven counties have moved from the red to the yellow phase. We will continue to monitor and assess the data, county by county, to maximize our economic recovery while minimizing public health risks.

We reach our shared goal by taking a measured and integrated approach to reopening businesses, building upon the progress we have made. This bill authorizes the exact opposite, a disjointed patchwork approach under which each county would make critical decisions that have Commonwealth-wide effects. Rather than fracturing into counties, we must continue to work together, as Pennsylvanians, to keep each other safe.

This bill also inexplicably prohibits Commonwealth agencies from performing an essential governmental operation, the promulgation of regulations, until ninety days after the disaster emergency declaration is terminated unless the legislature grants permission for a regulation to advance. This prohibition is a legislative infringement on executive rule-making authority and violates the separation of powers which is critical to the proper functioning of our democracy.

For the reasons set forth above, I must withhold my signature from Senate Bill 327, Printer's Number 1700.

Sincerely,



TOM WOLF
Governor